

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

ROHAN JOHNSON,

Petitioner,

vs.

CIVIL ACTION NO.: CV514-071

Mr. PERRY, "DHO"; T. JOHNS,
Warden; and CHARLES B.
SAMUELS, JR., Director of BOP,

Respondents.

ORDER

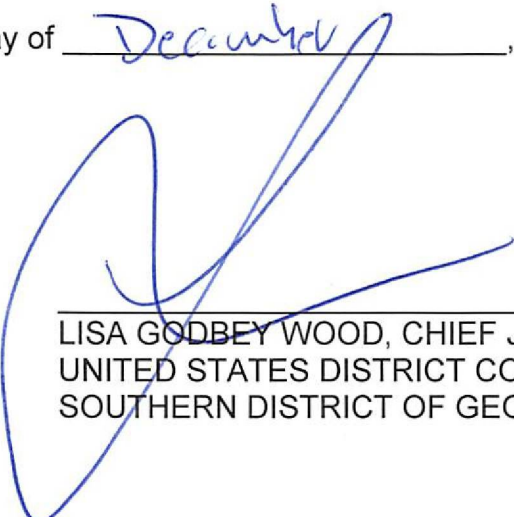
After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Petitioner Rohan Johnson ("Johnson") filed Objections. In his Objections, Johnson asserts that this Court should recognize "that there are new findings that are taking precedent in these private prison violations." (Doc. No. 13, p. 1). Johnson alleges that, under case law arising out of the Ninth Circuit, any attempt to file an appeal with the Office of General Counsel is futile because he expects that any such appeal would be denied since his previous administrative filings were denied.

Cases arising out of the Ninth Circuit have no binding authority on this Court. Instead, this Court is bound by its own rulings and decisions of the Eleventh Circuit Court of Appeals and the United States Supreme Court. These binding rulings compel

the conclusion that Johnson is required to exhaust his administrative remedies fully and properly before filing a cause of action in this Court.

Johnson's Objections are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Johnson's petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**, without prejudice, based on Johnson's failure to exhaust his available administrative remedies. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 12 day of December, 2014.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA